



# MIAMI BEACH

HUMAN RESOURCES / RISK MANAGEMENT

## MEMORANDUM

TO: Management Team

FROM: Mayra D. Buttacavoli, Director of Human Resources / Risk Management  
*Mayra D. Buttacavoli*

DATE: November 7, 2006

SUBJECT: Random Drug Testing and Last Chance Testing Procedures

It is important to the safety and welfare of the entire City and the public that all our employees refrain from illegal drug use and impairment from alcohol and/or drugs while on duty. To demonstrate the City's commitment to this notion, employees so designated by union collective bargaining agreements, employees who are Commercial Drivers' License (CDL) holders, and part-time, probationary, provisional, and temporary employees (not excluded by union agreements), will be subject to random drug testing.

The following are the procedures for Random Drug/Alcohol Testing:

1. Employees will be chosen randomly through a computer system at the request of the Human Resources/Risk Management Director or designee.
2. Human Resources will convey the names of the employees chosen by telephone or email to department directors or designees.
3. Department directors or supervisors (excluding the FOP) must immediately direct the employee to report within two hours to Mt. Sinai Hospital's Occupational Health facility, located in the Lowenstein Building at Mt. Sinai. The employee must be told he /she has to report within two hours. The employee must be told to have his/her City picture identification card ("i.d."), or driver's license with him/her, and to know his/her social security number. Parking is at no charge with a City i.d. In the case of presumed CDL holders, directors and/or supervisors must be able to verify if an employee is a CDL holder pursuant to his/her employment with the City.
4. Human Resources is to be notified immediately if a chosen employee is not at work. Employees whose names are chosen but are not at work due to previously excused absences will go back into the pool of employees eligible for random testing. Verification of an absence and the reason thereto may be requested by Human Resources in writing from the department director, who will verify the absence through Eden system.
5. All employees subject to this procedure can be tested an unlimited amount of times per year except for Fire Department employees (Fire Department employees are removed from the pool of eligible employees once tested in a 12 month fiscal period from October 1 through September 30 of each year).
6. All employees tested will receive documentation of said testing from Mt. Sinai upon the completion of the testing. The employee should be directed to provide a photocopy of the document to his/her supervisor upon returning to the work place. Carbon copies of test results sent by Mt. Sinai to Human Resources will be filed in the employee personnel file.

7. After notification to a chosen employee, a supervisor shall not grant sick, annual, or any type of leave excusing the chosen employee from the test. Once notified, the failure of an employee to report within two hours for random testing may be grounds for termination.
8. If an employee arrives at the Mt. Sinai Occupational Health Facility after 4:30 p.m. and the facility is closed, the employee must report to the Mt. Sinai Emergency Room for testing.
9. Human Resources will periodically verify the random computer system to ensure that all required classifications are included.
10. Employees whose classifications require a commercial driver's license (CDL) will be part of the CDL random drug/alcohol testing pool. If an employee in the CDL pool is not required to have a CDL, the employee's name will be removed from the pool and placed in the appropriate bargaining unit pool.

The following are the provisions for Last Chance Alcohol/Drug Testing:

1. For Last Chance Agreement random testing of employees who are a party to such an agreement, all of the above notification procedures apply. Employees must refer to his/her specific agreement to determine how many random tests can be conducted within a specified period. The Last Chance random testing is separate and apart from the random testing of eligible employees in a pool.
2. Pursuant to a Last Chance Agreement, an employee will be required to submit a Return to Duty test following the completion of rehabilitation (as determined by his/her substance abuse professional). With the Return to Duty testing, the same notification procedure is applied. The employee is not given advance notice of the testing; the employee will be notified to report to Mt. Sinai Occupational Health within two hours of notification. After notification to the employee, a supervisor shall not grant sick, annual, or any type of leave excusing the employee from the Return to Duty test. Once notified, the failure of an employee to report within two hours for random testing may be grounds for disciplinary action up to and including termination.

The following provisions only apply to the Fire Department:

The procedure for the Fire Department (Last Chance employees only) is the following: The Fire Chief or Assistant Fire Chiefs will be contacted by the Human Resources Department with the names of those employees selected. The Fire Department employees chosen will not be told about the random selection until the end of the shift. Once notified, the chosen employees will then immediately report to Mt. Sinai. The employee should have his/her City picture i.d., driver's license, and social security number.

Last Chance Drug testing for Fire Department employees are as follows: Assistant Chiefs will be notified by Human Resources before 8:00 a.m. The employee is notified of the need to take the test at the end of his/her shift and immediately reports to take the test.

Please feel free to contact Robin Porter, Employee Relations Director, at extension 6591 if you have any questions or need any additional information.